
Chapter 21.40 – Off-Street Parking

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21.40.010 – Purpose

The purpose of this chapter is to provide off-street parking and loading standards to:

- A. Provide for the general welfare and convenience of persons within the City by ensuring that sufficient parking facilities are available to meet the needs generated by specific uses and that adequate parking is provided, to the extent feasible;
- B. Provide accessible, attractive, secure, and well-maintained off-street parking and loading facilities;
- C. Increase public safety by reducing congestion on public streets and to minimize impacts to public street parking available for coastal access and recreation;
- D. Ensure access and maneuverability for emergency vehicles;
- E. Provide loading and delivery facilities in proportion to the needs of allowed uses; and
- F. Provide transportation and parking requirements for new development to protect, maintain, and enhance public access in the Coastal Zone.

21.40.020 – Applicability

- A. **Off-Street Parking Required.** Each use, including a change or expansion of a use or structure, except as otherwise provided for in Chapter 21.38 (Nonconforming Uses and Structures) shall have appropriately maintained off-street parking and loading areas in compliance with the provisions of this chapter. A use shall not be commenced and

structures shall not be occupied until improvements required by this chapter are satisfactorily completed.

- B. **Change, Enlargement, or Intensification of Use.** Changes in use and enlargement or intensification of an existing use shall require compliance with the off-street parking requirements of this chapter, except as allowed in Chapter 21.38 (Nonconforming Uses and Structures).

21.40.030 – Requirements for Off-Street Parking

- A. **Parking Required To Be On-Site.** Parking shall be located on the same lot or development site as the uses served, except for the following:
1. **Townhouses and Multi-Tenant Uses.** Where parking is provided on another lot within the same development site, the parking shall be located within two hundred (200) feet of the units they are intended to serve.
 2. **Off-Site Parking Agreement.** Parking may be located off-site with the approval of an off-site parking agreement.
- B. **Permanent Availability Required.** Each parking and loading space shall be permanently available and maintained for parking purposes for the use it is intended to serve. The Director may authorize the temporary use of parking or loading spaces for other than parking or loading in conjunction with a seasonal or intermittent use.
- C. **Maintenance.** Parking spaces, driveways, maneuvering aisles, turnaround areas, and landscaping areas shall be kept free of dust, graffiti, and litter. Striping, paving, walls, light standards, and all other facilities shall be permanently maintained in good condition.
- D. **Vehicles for Sale.** Vehicles, trailers, or other personal property shall not be parked upon a private street, parking lot, or private property for the primary purpose of displaying the vehicle, trailer, or other personal property for sale, hire, or rental, unless the property is appropriately zoned, and the vendor is licensed to transact a vehicle sales business at that location.
- E. **Calculation of Spaces Required.**
1. **Fractional Spaces.** Fractional parking space requirements shall be rounded up to the next whole space.
 2. **Bench Seating.** Where bench seating or pews are provided, eighteen (18) linear inches of seating shall be considered to constitute a separate or individual seat.
 3. **Gross Floor Area.** References to spaces per square foot are to be calculated on the basis of gross floor area unless otherwise specified.
 4. **Net Public Area.** “Net public area” shall be defined as the total area accessible to the public within an eating and/or drinking establishment, excluding kitchens, restrooms, offices pertaining to the use, and storage areas.

5. **Spaces per Occupant.** References to spaces per occupant are to be calculated on the basis of maximum occupancy approved by the City of Newport Beach Fire Department.
 6. **Spaces Required for Multiple Uses.** If more than one use is located on a site, the number of required off-street parking spaces shall be equal to the sum of the requirements prescribed for each use.
- F. **Nonconforming Parking and Loading.** Land uses and structures that are nonconforming due solely to the lack of off-street parking or loading facilities required by this chapter shall be subject to the provisions of Section 21.38.060 (Nonconforming Parking).

21.40.040 Off-Street Parking Spaces Required.

Off-street parking spaces shall be provided in compliance with Table 21.40-1. Where the off-street parking spaces required is established by a coastal development permit, the review authority shall require sufficient data, including a parking demand study, from the applicant in order to make this determination. These standards shall be considered the minimum required to preserve the public health, safety, and welfare, and more extensive parking provisions may be required by the review authority in particular circumstances. Unless otherwise noted parking requirements are calculated based on gross floor area.

TABLE 21.40-1 OFF-STREET PARKING REQUIREMENTS	
Land Use	Parking Spaces Required
Industry, Manufacturing and Processing, Warehousing Uses	
Food Processing	1 per 2,000 sq. ft.
Handicraft Industry	1 per 500 sq. ft.
Industry	
Small—5,000 sq. ft. or less	1 per 500 sq. ft.
Large—Over 5,000 sq. ft.	1 per 1,000 sq. ft.
Industry, Marine-Related	1 per 750 sq. ft.
Personal Storage (Mini Storage)	2 for resident manager, plus additional for office as required by coastal development permit
Research and Development	1 per 500 sq. ft.
Warehousing and Storage	1 per 2,000 sq. ft., plus one per 350 sq. ft. for offices. Minimum of 10 spaces per use
Wholesaling	1 per 1,000 sq. ft.

**TABLE 21.40-1
OFF-STREET PARKING REQUIREMENTS**

Land Use	Parking Spaces Required
Recreation, Education, and Public Assembly Uses	
Assembly/Meeting Facilities	1 per 3 seats or one per 35 sq. ft. used for assembly purposes ¹
Commercial Recreation and Entertainment	As required by coastal development permit
Cultural Institutions	1 per 300 sq. ft.
Schools, Public and Private	As required by coastal development permit
Residential Uses	
Accessory Dwelling Units	1 per unit; a minimum of 2 covered per site.
Single-Unit Dwellings—Attached	2 per unit in a garage
Single-Unit Dwellings—Detached and less than 4,000 sq. ft. of floor area	2 per unit in a garage
Single-Unit Dwellings—Detached and 4,000 sq. ft. or greater of floor area	3 per unit in a garage
Single-Unit Dwellings—Balboa Island	2 per unit in a garage
Multi-Unit Dwellings—3 units	2 per unit covered, plus guest parking; 1—2 units, no guest parking required 3 units, 1 guest parking space
Multi-Unit Dwellings—4 units or more	2 per unit covered, plus 0.5 space per unit for guest parking
Two-Unit Dwellings	2 per unit; 1 in a garage and 1 covered or in a garage
Live/Work Units	2 per unit in a garage, plus 2 for guest/customer parking
Senior Housing—Market rate	1.2 per unit
Senior Housing—Affordable	1 per unit
Retail Trade Uses	
Appliances, Building Materials, Home Electronics, Furniture, Nurseries, and Similar Large Warehouse-type Retail Sales and Bulk Merchandise Facilities	1st 10,000 sq. ft.—1 space per 300 sq. ft. Over 10,000 sq. ft.—1 space per 500 sq. ft.

**TABLE 21.40-1
OFF-STREET PARKING REQUIREMENTS**

Land Use	Parking Spaces Required
	Plus 1 per 1,000 sq. ft. of outdoor merchandise areas
Food and Beverage Sales	1 per 200 sq. ft.
Marine Rentals and Sales	
Boat Rentals and Sales	1 per 1,000 sq. ft. of lot area, plus 1 per 350 sq. ft. of office area
Marine Retail Sales	1 per 250 sq. ft.
Retail Sales	1 per 250 sq. ft.
Shopping Centers	1 per 200 sq. ft. See Section 21.40.050
Service Uses—Business, Financial, Medical, and Professional	
Convalescent Facilities	1 per 3 beds or as required by coastal development permit
Emergency Health Facilities	1 per 200 sq. ft.
Financial Institutions and Related Services	1 per 250 sq. ft.
Hospitals	1 per bed; plus 1 per resident doctor and 1 per employee.
Offices*—Business, Corporate, General, Governmental First 50,000 sq. ft. Next 75,000 sq. ft. Floor area above 125,001 sq. ft.	1 per 250 sq. ft. net floor area 1 per 300 sq. ft. net floor area 1 per 350 sq. ft. net floor area
* Not more than 20% medical office uses.	
Offices—Medical and Dental Offices	1 per 200 sq. ft.
Outpatient Surgery Facility	1 per 250 sq. ft.
Service Uses—General	
Adult-Oriented Businesses	1 per 1.5 occupants or as required by coastal development permit
Ambulance Services	1 per 500 sq. ft.; plus 2 storage spaces.
Animal Sales and Services	
Animal Boarding/Kennels	1 per 400 sq. ft.
Animal Grooming	1 per 400 sq. ft.

**TABLE 21.40-1
OFF-STREET PARKING REQUIREMENTS**

Land Use	Parking Spaces Required
Animal Hospitals/Clinics	1 per 400 sq. ft.
Animal Retail Sales	1 per 250 sq. ft.
Artists' Studios	1 per 1,000 sq. ft.
Catering Services	1 per 400 sq. ft.
Care Uses	
Adult Day Care—Small (6 or fewer)	Spaces required for dwelling unit only
Adult Day Care—Large (7 or more)	2 per site for drop-off and pick-up purposes (in addition to the spaces required for the dwelling unit)
Child Day Care—Small (6 or fewer)	Spaces required for dwelling unit only
Child Day Care—Large (9 to 14)	2 per site for drop-off and pick-up purposes (in addition to the spaces required for the dwelling unit)
Day Care—General	1 per 7 occupants based on maximum occupancy allowed per license
Residential Care—General (7 to 14)	1 per 3 beds
Eating and Drinking Establishments	
Accessory (open to public)	1 per each 3 seats or 1 per each 75 sq. ft. of net public area, whichever is greater
Bars, Lounges, and Nightclubs	1 per each 4 persons based on allowed occupancy load or as required by coastal development permit
Food Service with/without alcohol, with/without late hours	1 per 30—50 sq. ft. of net public area, including outdoor dining areas 25% of the interior net public area or 1,000 sq. ft., whichever is less. See Section 21.40.060
Food Service—Fast food	1 per 50 sq. ft., and 1 per 100 sq. ft. for outdoor dining areas
Take-Out Service—Limited	1 per 250 sq. ft.
Emergency Shelter	1 per 4 beds plus 1 per staff; and if shelter is designed with designated family units then 0.5 parking space

**TABLE 21.40-1
OFF-STREET PARKING REQUIREMENTS**

Land Use	Parking Spaces Required
	per bedroom designated for family units
Funeral Homes and Mortuaries	1 per 35 sq. ft. of assembly area
Health/Fitness Facilities	
Small—2,000 sq. ft. or less	1 per 250 sq. ft.
Large—Over 2,000 sq. ft.	1 per 200 sq. ft.
Laboratories (medical, dental, and similar)	1 per 500 sq. ft.
Maintenance and Repair Services	1 per 500 sq. ft.
Marine Services	
Boat Storage—Dry	0.33 per storage space or as required by coastal development permit
Boat Yards	As required by coastal development permit
Dry Docks	2 per dry dock
Entertainment and Excursion Services	1 per each 3 passengers and crew members
Marine Service Stations	As required by coastal development permit
Sport Fishing Charters	1 per each 2 passengers and crew members
Water Transportation Services—Office	1 per 100 sq. ft., minimum 2 spaces
Personal Services	
Massage Establishments	1 per 200 sq. ft. or as required by coastal development permit
Nail Salons	1 per 80 sq. ft.
Personal Services, General	1 per 250 sq. ft.
Studio (dance, music, and similar)	1 per 250 sq. ft.
Postal Services	1 per 250 sq. ft.
Printing and Duplicating Services	1 per 250 sq. ft.
Recycling Facilities	
Collection Facility—Large	4 spaces minimum, but more may be required by the review authority

**TABLE 21.40-1
OFF-STREET PARKING REQUIREMENTS**

Land Use	Parking Spaces Required
Collection Facility—Small	As required by the review authority
Visitor Accommodations	
Bed and Breakfast Inns	1 per guest room, plus 2 spaces
Hotels and accessory uses	As required by coastal development permit
Motels	1 per guest room or unit
Recreational Vehicle Parks	As required by coastal development permit
Time Shares	As required by coastal development permit
Transportation, Communications, and Infrastructure Uses	
Communication Facilities	1 per 500 sq. ft.
Heliports and Helistops	As required by coastal development permit
Marinas	0.75 per slip or 0.75 per 25 feet of mooring space
Vehicle Rental, Sale, and Service Uses	
Vehicle/Equipment Rentals	
Office Only	1 per 250 sq. ft.
Limited	1 per 300 sq. ft., plus 1 per rental vehicle (not including bicycles and similar vehicles)
Vehicle/Equipment Rentals and Sales	1 per 1,000 sq. ft. of lot area
Vehicles for Hire	1 per 300 sq. ft., plus 1 per each vehicle associated with the use and stored on the same site
Vehicle Sales, Office Only	1 per 250 sq. ft., plus 1 as required by DMV
Vehicle/Equipment Repair (General and Limited)	1 per 300 sq. ft. or 5 per service bay, whichever is more
Vehicle/Equipment Services	
Automobile Washing	1 per 200 sq. ft. of office or lounge area; plus queue for 5 cars per washing station

**TABLE 21.40-1
OFF-STREET PARKING REQUIREMENTS**

Land Use	Parking Spaces Required
Service Station	1 per 300 sq. ft. or 5 per service bay, whichever is more; minimum of 4
Service Station with Convenience Market	1 per 200 sq. ft., in addition to 5 per service bay
Vehicle Storage	1 per 500 sq. ft.
Other Uses	
Caretaker Residence	1 per unit
Special Events	As required by Chapter 11.03
Temporary Uses	As required by the coastal development permit in compliance with Chapter 21.52
1. The 1 per 3 seats standard should be used for areas with fixed setting and the 1 per 35 sq. ft. standard should be used for areas with no fixed seating.	

21.40.045 – Bicycle Parking for Non-residential Developments

- A. **Applicability.** The bicycle parking standards of this section shall be required for new non-residential developments with gross floor areas of ten thousand (10,000) square feet or more.
- B. **Number Required.** Five (5) percent of the number of off-street parking spaces required.
- C. **Design Requirements.** For each bicycle parking space required, a stationary object shall be provided to which a user can secure the bicycle with a user-provided cable and lock. The stationary object may be either a freestanding bicycle rack or a wall-mounted bracket.

21.40.050 – Parking Requirements for Shopping Centers

- A. An off-street parking space requirement of one space for each two hundred (200) square feet of gross floor area may be used for shopping centers meeting the following criteria:
 - 1. The gross floor area of the shopping center does not exceed 100,000 square feet; and
 - 2. The gross floor area of all eating and drinking establishments does not exceed fifteen (15) percent of the gross floor area of the shopping center.
- B. Individual tenants with a gross floor area of ten thousand (10,000) square feet or more shall meet the parking space requirement for the applicable use in compliance with Section 21.40.040 (Off-Street Parking Spaces Required).

- C. Shopping centers with gross floor areas in excess of 100,000 square feet or with eating and drinking establishments occupying more than fifteen (15) percent of the gross floor area of the center shall use a parking requirement equal to the sum of the requirements prescribed for each use in the shopping center.

21.40.060 – Parking Requirements for Food Service Uses

- A. **Establishment of Parking Requirement.** The applicable review authority shall establish the off-street parking requirement for food service uses within a range of one space for each thirty (30) to fifty (50) square feet of net public area based upon the following considerations:

- 1. **Physical Design Characteristics.**

- a. The gross floor area of the building or tenant space;
- b. The number of tables or seats and their arrangement;
- c. Other areas that should logically be excluded from the determination of net public area;
- d. The parking lot design, including the use of small car spaces, tandem and valet parking and loading areas;
- e. Availability of guest dock space for boats; and
- f. Extent of outdoor dining.

- 2. **Operational Characteristics.**

- a. The amount of floor area devoted to live entertainment or dancing;
- b. The amount of floor area devoted to the sale of alcoholic beverages;
- c. The presence of pool tables, big screen televisions or other attractions;
- d. The hours of operation; and
- e. The expected turnover rate.

- 3. **Location of the Establishment.**

- a. In relation to other uses and the waterfront;
- b. Availability of off-site parking nearby;
- c. Amount of walk-in trade; and
- d. Parking problems in the area at times of peak demand.

- B. **Conditions of Approval.** If during the review of the application, the review authority uses any of the preceding considerations as a basis for establishing the parking requirement, the substance of the considerations shall become conditions of the permit application approval and a change to any of the conditions will require an amendment to the permit application, which may be amended to establish parking requirements within the range as noted above.

21.40.070 – Development Standards for Parking Areas

Parking areas shall be developed in compliance with the following requirements.

- A. **Parking Space Standards.** Parking spaces shall be designed to provide have adequate dimensions, clearances, and access to insure their use.
- B. **Alley Access.** Development on lots or parcels with alley access shall be designed such that access to on-site parking spaces is accessed by the abutting alley.
1. **Exceptions.** The reviewing authority may grant an exception on lots:
- a. Where the width of the abutting alley is not sufficient to provide maneuvering space for access; or
- b. Where the provision of access by abutting streets would not result in the loss of on-street parking spaces.
- C. **Driveways.** Project and subdivision designs shall minimize the number of curb cuts for driveways. Existing curb cuts shall be closed to create public on-street parking wherever feasible.
- D. **Parking Configuration/Management.** Parking configurations and/or parking management programs that are difficult to maintain and enforce shall not be permitted.

21.40.110 – Adjustments to Off-Street Parking Requirements

The number of parking spaces required by this chapter may be reduced only in compliance with the following standards and procedures.

- A. **Reduction of Required Off-Street Parking.** Off-street parking requirements may be reduced as follows:
1. **Reduced Parking Demand.** Required off-street parking may be reduced in compliance with the following conditions:
- a. The applicant has provided sufficient data, including a parking study if required by the Director, to indicate that parking demand will be less than the required number of spaces or that other parking is available (e.g., City parking lot located nearby, on-street parking available, greater than normal walk in trade, mixed-use development); and

- b. A parking management plan shall be prepared in compliance with subsection (C) of this section (Parking Management Plan).
- 2. **Joint Use of Parking Facilities.** Required off-street parking may be reduced where two or more nonresidential uses on the same site or immediately adjacent sites have distinct and differing peak parking demands (e.g., a theater and a bank). The review authority may grant a joint use of parking spaces between the uses that results in a reduction in the total number of required parking spaces.
- C. **Parking Management Plan.** When a parking management plan to mitigate impacts associated with a reduction in the number of required parking spaces is required by this chapter, the parking management plan may include, but is not limited to, the following when required by the review authority:
 - 1. Restricting land uses to those that have hours or days of operation so that the same parking spaces can be used by two or more uses without conflict;
 - 2. Restricting land uses with high parking demand characteristics;
 - 3. Securing off-site parking;
 - 4. Providing parking attendants and valet parking; and
 - 5. Other appropriate mitigation measures.
- D. **Required Data.** In reaching a decision to allow a reduction of required parking spaces, the review authority shall consider data submitted by the applicant or collected/prepared at the applicant's expense.
- E. **Impact to Coastal Access Prohibited.** No application for a reduction in the number of off-street parking requirements shall be approved that impacts public parking available for coastal access.

21.40.120 – Parking Management Districts

Properties within a parking management district may be exempted from all or part of the off-street parking requirements of this chapter in compliance with the provisions of the adopted parking management district plan.

21.40.130 – In-Lieu Parking Fee

The number of parking spaces required by Section 21.40.040 (Off-Street Parking Spaces Required) may be reduced if the review authority authorizes the use of an in-lieu fee to be paid by the applicant towards the development of public parking facilities. The in-lieu fee shall be paid to the Citywide Parking Improvement Trust Fund. The amount of the fee and time of payment shall be established by Council resolution.

21.40.145 – Preferential Parking Zones

- A. **Establishment.** The City Council may designate, by ordinance, certain residential streets or alleys or any portions thereof, as preferential parking zones for the benefit of residents adjacent thereto, in which zone vehicles displaying a permit or other authorized indicia may be exempt from parking prohibitions or restrictions otherwise posted, marked or noticed.
- B. **Coastal Development Permit Required.** A coastal development permit approved by the City Council shall be required to establish a new or modify an existing preferential parking zone in the Coastal Zone.
- C. **Establishment of Preferential Parking Zones.** Each preferential parking zone shall be designated only upon the City Council finding:
 - 1. That such zone is required to enhance or protect the quality of life in the area of the proposed zone threatened by noise, traffic hazards, environmental pollution or devaluation of real property resulting from long-term nonresidents parking, that such zone is necessary to provide reasonably available and convenient parking for the benefit of the adjacent residents; and
 - 2. That the proposed zone is desirable to alleviate traffic congestion, illegal parking and related health and safety problems; and
 - 3. That the establishment of the preferential parking zone will not have a direct impact to coastal access.
- D. **Criteria for Determination of Findings.** The findings referred to in Subsection (C) shall be based upon the following criteria, supported by substantial evidence in the record and established to the satisfaction of the City Council:
 - 1. The parking in the area by nonresidents does substantially and regularly interfere with the use of the majority of the available public street or alley parking spaces by adjacent residents;
 - 2. That the interference by the nonresidents parking referred to above occurs at regular and significant daily or weekly intervals;
 - 3. That nonresidents parking is a source of unreasonable noise, traffic hazards, environmental pollution or devaluation of real property in the area of the proposed zone;
 - 4. That the majority of households and property owners adjacent to the proposed zone desire, agree to or request preferential parking privileges;
 - 5. That no unreasonable displacement of nonresident vehicles will occur in surrounding residential areas;

6. That public rights of access to, and along the shoreline and coastal bluffs are not directly impacted, including impacts to the use and capacity of public parking;
 7. That consideration was given to the availability of, and opportunities for, alternative modes of transportation;
 8. That a shortage of reasonably available and convenient residentially related parking spaces exists in the area of the proposed zone; and
 9. That no alternative solution is feasible or practical.
- E. **Periodic Review.** Coastal development permits establishing preferential parking zones shall be periodically reviewed and, if necessary, modified, to insure that the criteria used to establish the preferential parking zone reflect current conditions.
- F. **Parking Permits.**
1. **Number.** A maximum of four (4) annual permits for preferential parking may be issued for each qualified dwelling unit to any qualified applicant.
 2. **Fees.** Permit fees shall be established by resolution of the City Council and shall be progressive for dwelling units with multiple permits.
 3. **Use of Funds.** Permit fees collected for preferential parking in the Coastal Zone shall be deposited into a special fund to be used to fund programs to mitigate impacts to coastal access and parking facilities.